## Exhibit 1

From: Richard Markowitz < Rmarkowitz@argremgt.com>

Sent: Wednesday, March 16, 2011 1:47 PM

To: Ben-Jacob, Michael; ~LH If 03-22-2013 Tuchman, Louis; Wells, Peter Cc: John Van Merkensteijn, III; Jérôme LHOTE; Adam Larosa; Matthew Stein

Subject: Re: Diagram for Transaction

Basic Structure PDF Attachments:

Try this.

On 3/16/11 1:40 PM, "Michael Ben-Jacob" <michael.ben-jacob@kayescholer.com> wrote:

Richard,

I cannot open the attachment. Can you scan and send as a pdf?

Michael Ben-Jacob Kaye Scholer LLP 425 Park Avenue New York, New York, 10022 Phone: 212-836-8310

Fax: 212-836-6310

email: michael.ben-jacob@kayescholer.com

From: Richard Markowitz [mailto:Rmarkowitz@argremgt.com]

Sent: Wednesday, March 16, 2011 1:02 PM To: Ben-Jacob, Michael; Tuchman, Louis; Wells, Peter

Cc: John Van Merkensteijn, III; Jérôme LHOTE; Adam Larosa; Matthew Stein

Subject: Diagram for Transaction

Michael:

Attached please find a diagram for the major aspects of the transaction. Solo Capital has reviewed this. They also can provide a detailed summary of a trade, if needed. This takes you step by step through the orders to buy shares (and hedge) and then sell the shares (and unwind the hedge).

Also, with respect to the diagram, the other significant party is Acupay. As we discussed, they submit the requests to the German government for withholding tax refunds. A contract with Acupay will have to be signed by the Charity as well.

You can disclose the names of the investors.

Let us know if this diagram is helpful. We and Solo can obviously prepare the more detailed information when appropriate.

**Thanks** 

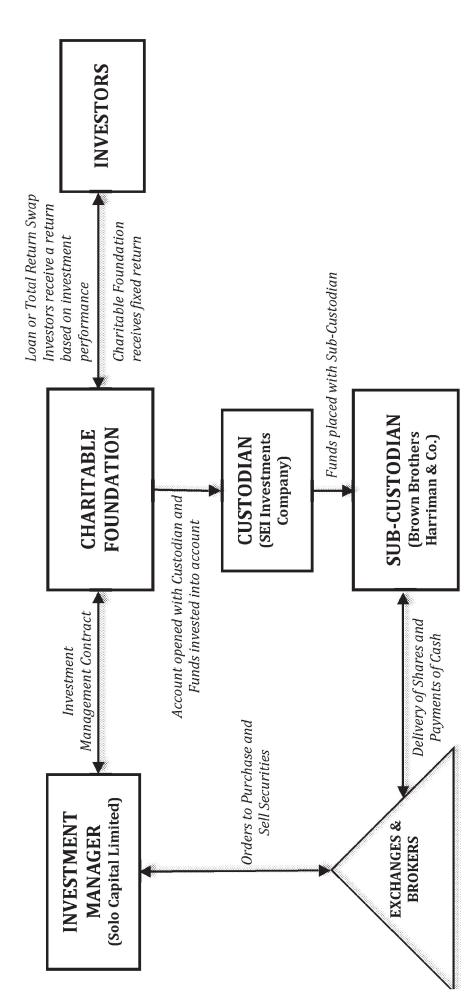
**DEFENDANTS' EXHIBIT** DX3180 Case No:18-MD-2865 (LAK)

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